IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

FRIDAY, THE 15TH JUNE 2007 / 25TH JYAISHTA 1929

Bail Appl..No. 3637 of 2007()

CRIME NO.261/2007 OF THALASSERY POLICE STATION

: PETITIONER/A2

NOUSHAD C.H., S/O.MAMMU, AGED 29 YEARS,
CHEERETH HOUSE, PULLOOKKARA P.O., KANNUR.

BY ADV. SRI.P.M.HABEEB

RESPONDENTS:

STATE OF KERALA,
REP. BY CIRCLE INSPECTOR OF POLICE,
THALASSERY POLICE STATION,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO.3637 of 2007

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DATED:15-06-2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is accused No.2 in Crime No.261/2007 of Thalassery Police Station for an offence punishable under Section 376 IPC seeks his enlargement on bail. Petitioner was arrested on 25.5.2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner but only from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 27.6.2007 on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M, Thalassery and subject to the following conditions:

(a). The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

(c) The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

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In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the sole accused in C.R. No.8/2007 of Sulthan Bathery Excise Range for an offence punishable under Section 55(a) of the Abkari Act for having been found in possession of 3 liters of illicit arrack, seeks his enlargement on bail. Petitioner was arrested on 6.2.2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offence and the other circumstances of the case, I am inclined to grant bail to the petitioner, but only from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 6.3.2007, on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Sulthan Bathery, and subject to the following conditions: